

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 29, 2001**

DIVISION ONE

B146411      Ford      (Not for Publication)  
v.  
Portion Pac, Inc.

The judgment is affirmed. Respondent PPI is awarded costs on appeal.

Ortega, J.

We concur: Spencer, P.J.  
Mallano, J.

DIVISION TWO

B149591      Los Angeles County, D.C.S. (Not for Publication)  
v.  
Maria O., et al.

The order of the trial court is affirmed.

Boren, P.J.

We concur:   Nott, J.  
                      Cooper, J.

DIVISION TWO (Continued)

B145499      Como, LLC                      (Not for Publication)  
                 v.  
                 Delta Tau Data Systems, Inc.

The judgment (order confirming arbitration award) is affirmed.

Boren, P.J.

We concur:    Cooper, J.  
                 Todd, J.

B146620      Robert W. Harris                      (Not for Publication)  
                 v.  
                 Adr-Ann Harris

The judgment is affirmed.

Boren, P.J.

We concur:    Nott, J.  
                 Todd, J.

B146497      Lammoglia                              (Not for Publication)  
                 v.  
                 Philippine National Bank et al.

The judgment is affirmed.

Boren, P.J.

We concur:    Nott, J.  
                 Todd, J.

## DIVISION TWO (Continued)

B148445      Henrietta B.      (Not for Publication)  
v.  
Los Angeles County Department of Children and Family Services  
In re Jariesha D et al.

The orders under review are affirmed.

Boren, P.J.

We concur:   Nott, J.  
                      Todd, J.

DIVISION THREE

B146277 People (Not for Publication)  
v.  
Joseph L.

The judgment (order continuing minor a ward of the court under Welfare and Institutions Code section 602) is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B136778      Chavez      (Certified for Publication)  
v.  
Whirlpool Corporation et al.

The judgment is affirmed. Whirlpool shall recover its costs on appeal.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

DIVISION FOUR

B148755 People  
v.  
Horton

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B142437      Bolen et al.      (Not for Publication)  
v.  
Van Burnett

The matter is reversed and remanded to the trial court for consideration of the appropriate amount to award for reasonable attorney fees incurred in enforcing the arbitration award. Because respondent did not make an appearance in this appeal and did not contest the motion for attorney fees below, no costs on appeal will be awarded.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

B147734      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Tony G., et al.

The order is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

October 29, 2001-Continued

DIVISION FIVE

B147066 People (Not for Publication)  
v.  
Eva M.

The judgment is affirmed.

Willhite, J. (Assigned)

We concur:   Turner, P.J.  
                      Armstrong, J.

B143185      People      (Not for Publication)  
v.  
Michael Bullock

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.  
Willhite, J. (Assigned)

B140654 Parvin Daute (Not for Publication)  
v.  
Jason Marshall

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:   Turner, P.J.  
                   Willhite, J. (Assigned)

DIVISION FIVE (Continued)

B146406      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
David D.

The judgment is affirmed.

Willhite, J. (Assigned)

I concur:      Turner, P.J.  
I concur:      Armstrong, J. (Opinion)

B142887      Garden Gate, Inc., et al.      (Not for Publication)  
v.  
Barbara E. Dailey

The judgment is reversed. Each party to bear their own costs.

Armstrong, J.

We concur:      Turner, P.J.  
Willhite, J. (Assigned)

DIVISION SIX

B145713      Ursidae, LLC et al.      (Not for Publication)  
v.  
Zimmerman et al.

Substantial evidence supports the trial court judgment. We affirm. Costs are awarded to respondents.

Perren, J.

We concur:      Gilbert, P.J.  
Yegan, J.

October 29, 2001-Continued

## DIVISION SIX (Continued)

B146557 People (Not for Publication)  
v.  
Jackson

The order revoking probation and the judgment sentencing Jackson to state prison are affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

B146806      Kroeger      (Not for Publication)  
v.  
Kroeger

The orders are affirmed. Costs to respondent.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SEVEN

B147625      Los Angeles County, D.C.F.S.      (Certified for Publication)  
v.  
Tricia T.

The orders of the juvenile court are reversed and the cause is remanded.

Johnson, J.

We concur: Lillie, P.J.  
Boland, J. (Assigned)

DIVISION SEVEN (Continued)

B140667     Martrine Breheney, etc., et al.     (Not for Publication)  
              v.  
              Eric Arosemena et al.

The judgment is affirmed. The parties are to bear their own costs of appeal

Johnson, Acting P.J.

We concur:    Woods, J.  
                      Boland, J. (Assigned)

B148778     Los Angeles County, D.C.F.S.     (Not for Publication)  
              v.  
              Cynthia S.

The order modifying appellant's visitation from unmonitored to monitored is reversed.

Johnson, Acting P.J.

We concur:    Woods, J.  
                      Boland, J. (Assigned)

B148437     Ajah B.     (Not for Publication)  
              v.  
              Los Angeles County, D.C.F.S.  
              In re Clifton V., a Person Coming Under the Juvenile Court Law.

The matter is remanded to the juvenile court with directions to hold a new hearing on mother's petition under section 388, which hearing is to include live testimony and the right of cross-examination, and, if appropriate after such hearing, to hold a new hearing pursuant to section 366.26.

Woods, Acting P.J.

We concur:    Woods, Acting P.J.  
                      Boland, J. (Assigned)



DIVISION SEVEN (Continued)

B145935 People (Not for Publication)  
v.  
Carl Marks

The judgment is reversed in part, and remanded to the trial court to modify the sentence. On remand, the trial court is ordered to stay appellant's sentence for robbery pursuant to Penal Code section 654, and to calculate appellant's conduct credits pursuant to Penal Code section 2933.1. In all other respects the judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Boland, J. (Assigned)

B121816 People (Not for Publication)  
v.  
Yarborough

The judgment is modified to impose a \$200 parole revocation fine. In all other respects, the judgment is affirmed.

Boland, J. (Assigned)

We concur: Lillie, P.J.  
Woods, J.

B147893 People (Not for Publication)  
v.  
Pishon P.

The order under review is affirmed.

Boland, J. (Assigned)

We concur:   Lillie, P.J.  
                      Johnson, J.

## DIVISION SEVEN (Continued)

B146628      People  
v.  
Ponce

(Not for Publication)

The judgment is affirmed. The superior court is directed to have its clerk correct the abstract of judgment to show the conviction was obtained by jury trial, and not by plea, and send the amended abstract of judgment to the California Department of Corrections.

Boland, J. (Assigned)

We concur: Lillie, P.J.  
Woods, J.

B113576 People  
v.  
Riley

Filed order denying petition for rehearing.